

Union Calendar No. 344

111TH CONGRESS
2^D SESSION

H. R. 4823

[Report No. 111-599]

To establish the Sedona-Red Rock National Scenic Area in the Coconino National Forest, Arizona, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2010

Mrs. KIRKPATRICK of Arizona introduced the following bill; which was referred to the Committee on Natural Resources

SEPTEMBER 16, 2010

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on March 11, 2010]

A BILL

To establish the Sedona-Red Rock National Scenic Area in the Coconino National Forest, Arizona, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Sedona-Red Rock Na-*
 5 *tional Scenic Area Act of 2010”.*

6 **SEC. 2. SEDONA-RED ROCK NATIONAL SCENIC AREA,**
 7 **COCONINO NATIONAL FOREST, ARIZONA.**

8 (a) *ESTABLISHMENT.*—*There is established in the*
 9 *Coconino National Forest, Arizona, the Sedona-Red Rock*
 10 *National Scenic Area (in this section referred to as the*
 11 *“Scenic Area”) for the purposes of—*

12 (1) *limiting exchanges of land involving Na-*
 13 *tional Forest System land included in the Scenic*
 14 *Area; and*

15 (2) *managing the National Forest System land*
 16 *included in the Scenic Area as provided in the land*
 17 *and resource management plan for the Coconino Na-*
 18 *tional Forest.*

19 (b) *BOUNDARIES.*—*The Scenic Area shall consist of*
 20 *approximately 160,000 acres of National Forest System*
 21 *land in the Coconino National Forest, as generally depicted*
 22 *on the map entitled “Sedona-Red Rocks National Scenic*
 23 *Area” and dated June 7, 2010. The Scenic Area shall not*
 24 *include any land located outside the boundaries of the*
 25 *Coconino National Forest.*

1 (c) *MAP AND BOUNDARY DESCRIPTION.*—As soon as
2 *practicable after the date of the enactment of this Act, the*
3 *Secretary of Agriculture shall file a map and boundary de-*
4 *scription of the Scenic Area with the Committee on Natural*
5 *Resources of the House of Representatives and the Com-*
6 *mittee on Energy and Natural Resources of the Senate. The*
7 *map and boundary description shall have the same force*
8 *and effect as if included in this Act, except that the Sec-*
9 *retary may correct clerical and typographical errors in the*
10 *map and description. The map and boundary description*
11 *shall be on file and available for public inspection in the*
12 *Office of the Chief of the Forest Service.*

13 (d) *ADMINISTRATION.*—The Secretary of Agriculture
14 *shall administer the Scenic Area in accordance with this*
15 *Act, the land and resource management plan for the*
16 *Coconino National Forest (including any subsequent*
17 *amendment or revision of the plan), and the laws and regu-*
18 *lations generally applicable to the National Forest System.*
19 *In the event of conflict between this Act and such other laws*
20 *and regulations, this Act shall take precedence.*

21 (e) *RESTRICTION ON SCENIC AREA LAND EX-*
22 *CHANGES.*—With regard to acquisitions of land for public
23 *purposes, land exchanges that dispose of National Forest*
24 *System land included in the Scenic Area may occur only*
25 *if—*

1 (1) *the exchange results in the acquisition of*
 2 *land within the boundaries of the Scenic Area from*
 3 *a willing seller for inclusion in the Scenic Area;*

4 (2) *there is no net loss of National Forest System*
 5 *land within the boundaries of the Scenic Area; and*

6 (3) *an environmental analysis in accordance*
 7 *with the National Environmental Policy Act of 1969*
 8 *(42 U.S.C. 4321 et seq.) and consistent with the ap-*
 9 *plicable forest plan amendment is completed before*
 10 *any land exchange within the boundaries of the Sce-*
 11 *nic Area.*

12 (f) *DEPOSIT OF CONSIDERATION FROM CERTAIN LAND*
 13 *SALES; USE.—*

14 (1) *DEPOSIT OF PROCEEDS.—Moneys received by*
 15 *the Secretary of Agriculture from the sale or exchange*
 16 *of land located in the Coconino National Forest shall*
 17 *be deposited in the fund established by Public Law*
 18 *90–171 (commonly known as the Sisk Act; 16 U.S.C.*
 19 *484a).*

20 (2) *USE OF FUNDS.—Notwithstanding the limi-*
 21 *tations on the use of moneys deposited in the fund es-*
 22 *tablished by Public Law 90–171, moneys deposited*
 23 *under paragraph (1) shall be available for use by the*
 24 *Secretary of Agriculture, without further appropri-*
 25 *ation and until expended, for the acquisition of land*

1 *or interests in land within the National Forest Sys-*
2 *tem in Arizona.*

3 *(g) NO EFFECT ON SURROUNDING LAND, ROADS, OR*
4 *EASEMENTS.—The establishment of the Scenic Area does*
5 *not affect—*

6 *(1) the maintenance or use of public, private, or*
7 *Forest Service roads within the Scenic Area;*

8 *(2) the legal status, maintenance, or use of*
9 *rights-of-way and utility easements within the Scenic*
10 *Area;*

11 *(3) the management of State, municipal, or pri-*
12 *vate land located in the vicinity of or within the*
13 *boundaries of the Scenic Area;*

14 *(4) the management of National Forest System*
15 *land that is not included in the Scenic Area; or*

16 *(5) the construction or siting of transportation*
17 *projects or water projects (and associated facilities)*
18 *within the Scenic Area or in areas outside the Scenic*
19 *Area.*

20 *(h) NO CAUSE OF ACTION.—Nothing in this Act cre-*
21 *ates a private cause of action in any Federal, state or tribal*
22 *court.*

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